

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**MICHAEL MEYER,**

**Plaintiff,**

**v.**

**Case No. 20-CV-432**

**DANIEL KNOEDLER, SAMUEL WEBER, and  
SCOTT JENSENA,**

**Defendants.**

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**REPORT AND RECOMMENDATION TO DISMISS  
FOR FAILURE TO PROSECUTE<sup>1</sup>**

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Michael Meyer filed a pro se civil rights complaint against the Defendants on March 19, 2020. (Docket # 1.) On March 24, 2020, I found that Meyer's complaint failed to state a claim and allowed Meyer thirty (30) days to submit an amended complaint. (Docket # 4.) I warned Meyer that failure to timely submit an amended complaint would result in a recommendation that his action be dismissed with prejudice. (*Id.* at 4.) As of the date of this report and recommendation, Meyer has not submitted an amended complaint. Because it does not appear that Meyer intends to prosecute this action, dismissal is appropriate. Furthermore, Meyer has not heeded the court's warning that his complaint would be dismissed if he did not amend his complaint, justifying dismissal with prejudice.

Therefore, **IT IS HEREBY RECOMMENDED** that Meyer's petition (Docket # 1) be **DISMISSED WITH PREJUDICE** for failure to prosecute.

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<sup>1</sup> Because the defendant has not yet appeared and had an opportunity to consent to or refuse magistrate judge jurisdiction, I issue a report and recommendation regarding the dismissal of the petition. *See Coleman v. Labor and Indus. Rev. Comm'n*, 860 F.3d 461 (7th Cir. 2017).

Your attention is directed to General L.R. 72(c), 28 U.S.C. § 636(b)(1)(B) and Federal Rules of Criminal Procedure 59(b), or Federal Rules of Civil Procedure 72(b) if applicable, whereby written objections to any recommendation or order herein, or part thereof, may be filed within fourteen days of the date of service of this recommendation or order. Objections are to be filed in accordance with the Eastern District of Wisconsin's electronic case filing procedures. Failure to file a timely objection with the district court shall result in a waiver of a party's right to appeal. If no response or reply will be filed, please notify the Court in writing.

Dated at Milwaukee, Wisconsin this 1<sup>st</sup> day of June, 2020.

BY THE COURT:

*s/Nancy Joseph*  
NANCY JOSEPH  
United States Magistrate Judge